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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,888	10/14/2003	Teng-Kuei Lee	CU-3404 RJS	4844
26530	7590	05/17/2005		EXAMINER
LADAS & PARRY LLP				VO, ANH T N
224 SOUTH MICHIGAN AVENUE				
SUITE 1200			ART UNIT	PAPER NUMBER
CHICAGO, IL 60604			2861	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	CWW
	10/684,888 Examiner Anh T.N. Vo	LEE, TENG-KUEI Art Unit 2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1 and 9 is/are rejected.
- 7) Claim(s) 2-8 is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: ____.                                    |

***CLAIM REJECTIONS***

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (e) the invention was described in--
  - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
  - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1 and 9 are rejected under 35 USC 102 (e) as being anticipated by Fellingham et al. (US Pat. 6,877,846).

Fellingham et al. disclose in Figures 1-8 an ink supply tank comprising:

- an ink supplying member (12) which defines a supplying chamber for holding the ink therein, and which includes a supplying port that is in fluid communication with said supplying chamber, and that is adapted for passage of the ink therethrough to be supplied to the recording head (14) of the ink jet printer in response to activation of the recording head, and an inlet port that is disposed upstream of said supplying port, said supplying chamber having an ink-flow inducing zone (a space on a element 80) and an ink-holding zone (a zone contains an element 80) disposed immediately downstream and upstream of said inlet port (66) and said supplying port (not shown but close by an element 14), respectively;
- an ink absorbent body (80) which is made of such a material as to hold the ink in voids thereof by capillary action in a saturated state, and to discharge the ink so that the ink in said voids in

response to the activation of the recording head (14) is partially depleted in said ink absorbent body, thereby placing said ink absorbent body in an unsaturated state, said ink absorbent body being configured to be received in said ink-holding zone such that, in the saturated and unsaturated states, said ink-flow inducing zone is air-tightly cut off from said supplying port by said ink absorbent body, and such that, in the unsaturated state, air in said ink-flow inducing zone takes the place of the depleted ink and refills said voids, thereby creating a reduced pressure in said ink-flow inducing zone;

- an ink reservoir (16) which contains ink with a liquid level, and which is disposed upstream of said inlet port;
- a conduit (24 or 50) having an intake end dipped in the ink below the liquid level, and an output end which is downstream of said intake end, and which is disposed in fluid communication with said inlet port such that, when the reduced pressure is created in said ink-flow inducing zone, the ink in said ink reservoir (16) is suctioned through said conduit (24 or 50) into said ink-flow inducing zone to replenish the voids with ink, thereby placing said ink absorbent body (80) to the saturated state; and
- wherein said ink reservoir is made of a transparent material

#### *Citation of Pertinent Prior Art*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These prior art references (US Pat. 5,751,319; US Pat. 6,293,663; US Pat. 6,520,630; Us Pat. 6,742,880) cited in the PTO 892 form show an ink cartridge that is deemed to be relevant to the present invention. These references should be reviewed.

#### *Allowable Subject Matter*

Claims 2-8 are allowable if rewritten to include all of the limitations of the base claim and any intervening claims. These claims would be allowable because the prior art references do not disclose an ink reservoir that is formed integrally with and is juxtaposed with an ink supplying member in the combination as claimed.

Art Unit: 2861

***CONCLUSION***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262. The examiner can normally be reached on Tuesday to Friday from 9:00 A.M. to 7:00 P.M.. The fax number of this Group 2861 is (703) 872-9306.



ANH.T.N. VO  
PRIMARY EXAMINER

May 13, 2005